

FILED

JAN 27 2021

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

SHAQUILLE KIRKENDOLL,

Defendant.

4:21CR060 AGF/SPM

MOTION FOR PRETRIAL DETENTION AND HEARING

The United States of America, by and through its Attorneys, Saylor A. Fleming, United States Attorney for the Eastern District of Missouri, and Kourtney M. Bell, Assistant United States Attorney for the District, moves the Court to order Defendant detained pending trial and further requests that a detention hearing be held three days from the date of Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is currently charged with being a felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1).
2. Pursuant to Title 18, United States Code, Section 3142(g)(2), the weight of the evidence against Defendant involves a prohibited person, Defendant, knowingly possessing a Smith and Wesson, Military and Police, .40 caliber, semiautomatic pistol. The firearm had a chambered round and 13 live rounds. It is also worth noting Defendant twice attempted to evade police, physically resisted arrested, and was observed violating numerous vehicle code sections, including but not limited to: driving a motor vehicle at a high rate of speed in a residential area, ignoring numerous traffic signals, and driving in the opposition direction on an one-way street.

3. Pursuant to Title 18, United States Code, Section 3142(g)(3), the history and characteristics of Defendant's prior conduct includes a Robbery, First-Degree, felony conviction, and an Armed Criminal Action felony conviction. Both convictions occurred in the State of Missouri, and it is the United States' understanding that Defendant was on parole for the aforementioned at the time of the present offense.

4. Pursuant to Title 18, United States Code, Section 3142(g)(4), the nature and seriousness of the danger to any person, or the community, that would be posed by Defendant's release warrant his detention pending trial. The evidence against Defendant is strong. Defendant possessed a loaded firearm despite being both a parolee and a prohibited person. Defendant operated a motor vehicle in a reckless manner, disregarded numerous traffic control devices, and threatened the safety of others through his conduct. It also appears as though Defendant has failed to learn from his past mistakes, as he continues to engage in unlawful behavior despite previously serving a sentence of 12-year confinement. The United States cannot overlook the seriousness of the facts alleged, and the totality of the circumstances weigh in favor of Defendant's detention pending trial.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial, and further order a detention hearing three days from the date of Defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

s/ KOURTNEY M. BELL
KOURTNEY M. BELL, #300171 (CA)
Assistant United States Attorney